

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

AMERICAN PATENTS LLC,

Plaintiff,

v.

HISENSE CO. LTD., et al.,

Defendants.

CIVIL ACTION NO. 4:18-cv-768-ALM

**JURY TRIAL DEMANDED**

**AMERICAN PATENTS' OPPOSITION TO HISENSE ELECTRIC CO., LTD.  
AND HISENSE INTERNATIONAL (HONG KONG) AMERICA  
INVESTMENT CO., LTD.'S MOTION TO DISMISS UNDER FEDERAL  
RULES OF CIVIL PROCEDURE 12(b)(5) AND 12(b)(6)**

The four Hisense Defendants in this case have filed two separate motions to dismiss: a first motion filed by Hisense Co., Ltd. and Guiyang Hisense Electronics Co., Ltd. (Dkt. 44), and a second motion filed by Hisense Electric Co., Ltd. and Hisense International (Hong Kong) America Investment Co., Ltd. (Dkt. 45). American Patents has filed its response in opposition to the first motion (Dkt. 55). This filing is American Patents' response in opposition to the second motion.

In the first motion, Hisense Co. and Guiyang Hisense moved to dismiss the complaint for lack of personal jurisdiction, for improper service, for failure to state a claim of direct and indirect infringement and for failure to state a claim of willful infringement. The second motion omits the personal jurisdiction challenge, but is otherwise identical to the first motion.

In order to avoid burdening the Court with entirely duplicative briefing, American Patents hereby incorporates by reference its arguments regarding alleged improper service, direct and indirect infringement, and willful infringement made in its opposition to the first motion filed by Hisense Co. and Guiyang Hisense (Dkt. 55), as its response to the second motion filed by Hisense Electric Co., Ltd. and Hisense International (Hong Kong) America Investment Co., Ltd.

For the foregoing reasons, the Court should deny the motion to dismiss of Hisense Electric Co. and Hisense International (Hong Kong).

Dated: February 1, 2019

Respectfully submitted,

/s/ C. Ryan Pinckney

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